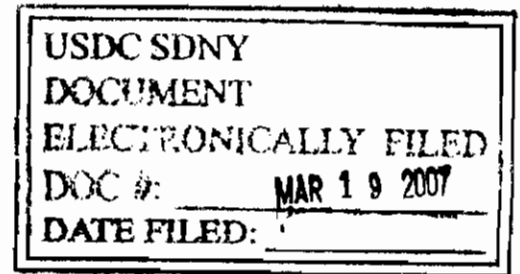


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
MORGAN ADZEI,

Plaintiff,

-against-

CITY OF NEW YORK, POLICE OFFICER FRANK
BALDO,

Defendants.
----- x

**STIPULATION AND ORDER
OF SETTLEMENT AND
DISMISSAL**

06 CV 5868 (GBD)

WHEREAS, plaintiff Morgan Adzei commenced this action by filing a complaint on or about August 3, 2006, alleging violations of her civil rights under federal and New York State laws; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, defendant City of New York served plaintiff with a Rule 68 Offer of Judgment on February 12, 2007; and

WHEREAS, plaintiff accepted defendant City of New York's Rule 68 Offer of Judgment on February 13, 2007;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. All claims in the above-referenced action asserted by plaintiff Morgan Adzei are hereby dismissed, with prejudice, and without costs, expenses, or fees except as specified in paragraphs "2," "3," and "5" below.

2. Defendant City of New York hereby agrees to pay plaintiff Morgan Adzei the sum of FIVE THOUSAND and ONE DOLLARS (\$5,001.00), plus reasonable attorneys' fees, expenses, and costs, up to the date of the Rule 68 Offer, in full satisfaction of all claims by plaintiff Adzei against defendants. In consideration for the payment of this sum, plaintiff Adzei agrees to dismissal of all of the claims brought by her against the individually-named defendants and to release all defendants, any present or former employees or agents of the City of New York, or any agency thereof from any and all liability, claims, or rights of action arising from and contained in the complaint in this action.

3. Plaintiff has assigned her rights to attorneys' fees, expenses, and costs to her attorney, Gregory Antollino, Esq.

4. Plaintiff Adzei shall execute and deliver to the defendants' attorney all documents necessary to effect this settlement including, without limitation, a General Release based on the terms of paragraphs "2" and "3" above and an Affidavit of No Liens.

5. The City of New York hereby agrees to pay counsel for plaintiff, Gregory Antollino, Esq., the sum of THREE THOUSAND DOLLARS (\$3,000.00), as reasonable attorneys' fees, expenses, and costs to the date of the Offer of Judgment referenced in paragraph "2" above. Counsel for plaintiff hereby agrees and represents that no further claim for attorneys' fees, costs, or expenses arising out of this action shall be made by or on behalf of plaintiff Adzei up to and including the date of the Offer of Judgment referenced in paragraph "2" above in any application for attorneys' fees, costs, or expenses at any time in the future.

6. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations

or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

7. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

8. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York

March 15, 2007

Gregory Antollino, Esq.
Attorney for Plaintiff
1123 Broadway, Suite 902
New York, NY 10010

By: 
GREGORY ANTOLLINO (GA 9750)

MICHAEL A. CARDOZO
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(212) 788-1580

By: 
CRAIG HANLON (CH 5679)
Assistant Corporation Counsel

SO ORDERED:

George B. Daniels
United States District Judge
MAR 19 2007
GEORGE B. DANIELS